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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT
(Sacramento)

In re M.F., a Person Coming Under the Juvenile Court
Law.

C091585

THE PEOPLE,

(Super. Ct. No. JV140153)

Plaintiff and Respondent,

v.

M.F.,

Defendant and Appellant.

This appeal comes to us pursuant to *People v. Wende* (1979) 25 Cal.3d 436. Finding no arguable error that would result in a disposition more favorable to defendant, we will affirm the judgment, but remand for correction of clerical errors in the juvenile detention disposition report.

On November 28, 2018, Yolanda B. was in her home when she heard a “boom” outside, opened her front door, and saw a teenager of M.F.’s race “[r]unning out of” a Pontiac that apparently had just crashed into her niece’s parked Toyota Camry.

When law enforcement arrived, Yolanda told them that the person she saw running away was wearing a dark-colored sweatshirt and jeans.

A responding officer testified that it appeared the Pontiac collided with the Camry, as the Pontiac “was hot to the touch and obviously had been running,” whereas the Camry was not hot, and “was parked.” The driver’s side airbag of the Pontiac had deployed, but the passenger side airbag had not, indicating either (1) “there was not more than 65 pounds in the passenger seat” at the time of collision or (2) “airbag failure.”

Inside the Pontiac, “on the front passenger seat,” the officer found a cell phone “which was . . . on with GPS coordinates,” reflecting a starting point of the street on which M.F. lived with his father, and a destination in downtown Sacramento.

The officer answered the phone when it rang, and the caller identified themselves as M.F.’s father, although it was “pretty obvious” that the caller was “a child or somebody with a higher voice . . . trying to manipulate their voice to be deeper.”

The officer contacted M.F. at a residence on the street that was the starting point of the GPS trip, which residence was about 100 yards from the scene of the accident. M.F. had “swelling,” “redness,” and “abrasions” above his right eyebrow and forehead area, and was wearing a “dark colored zip-up” “jacket” and “jeans.”

At the end of a December 2019 contested jurisdictional hearing, the juvenile court sustained two misdemeanor allegations: that (1) M.F. drove a motor vehicle without holding a valid driver’s license (Veh. Code, § 12500, subd. (a); count two); and (2) having been involved in an accident resulting in property damage, M.F. failed to comply with Vehicle Code section 20002, subdivision (a) (count one). The juvenile court did not sustain the allegation in count three, that M.F. drove a vehicle without evidence of

financial responsibility (Veh. Code, § 16028, subd. (a)), as no “evidence was offered” on that count.

In a January 2020 dispositional hearing, the juvenile court placed M.F. on six months’ “nonwardship probation” pursuant to Welfare and Institutions Code section 725, subdivision (a), retained jurisdiction over victim restitution to the owners of the Camry and Pontiac (Welf. & Inst. Code, § 730.7), and, after finding M.F. unable to pay, declined to impose a restitution fine (Welf. & Inst. Code, § 730.6).

M.F. timely appealed.

We appointed counsel to represent M.F. on appeal. Counsel filed an opening brief that sets forth the facts of the case and requests this court to review the record and determine whether there are any arguable issues on appeal. (*People v. Wende, supra*, 25 Cal.3d 436.) M.F. was advised by counsel of the right to file a supplemental brief within 30 days of the date of filing of the opening brief. More than 30 days elapsed, and we received no communication from M.F. Having undertaken an examination of the entire record, we find no arguable error that would result in a disposition more favorable to defendant.

We shall, however, remand for correction of certain errors in the juvenile detention disposition report. First, the disposition report incorrectly reflects that M.F. admitted the charges that actually were sustained by the juvenile court after hearing. Secondly, the disposition report incorrectly records the dismissal of count three as being in furtherance of justice, rather than stating that the count was “not sustained.”

DISPOSITION

The judgment is affirmed. The clerk of the juvenile court is directed to prepare a corrected juvenile detention disposition report (1) deleting the “X” marks in the boxes stating “Final Plea [¶] Admit” in section D.; and (2) deleting the “a” in the box stating “Dismissal Code” for the Vehicle Code section 16028 allegation, and placing an “X” in the box entitled “Finding [¶] Not Sustained” in section D. The juvenile court shall

forward the corrected juvenile detention disposition report to the juvenile probation department.

KRAUSE, J.

We concur:

ROBIE, Acting P. J.

MURRAY, J.